

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHRISTOPHER ODDO, et al.

Plaintiffs,

v.

T-MOBILE USA, INC.,

Defendant.

Civil Action No. 2:24-cv-
07719 (MEF) (JRA)

ORDER


The motion to dismiss [ECF 11] presses two arguments: dismissal for lack of personal jurisdiction and, in the alternative, dismissal in favor of arbitration.

The motion to dismiss to compel arbitration is denied without prejudice pending the resolution of the motion to dismiss for lack of personal jurisdiction. There is no need for the Plaintiff to respond now to the motion to compel arbitration.

The Defendant shall file a letter of no more than two pages on or before September 16, 2024, addressing whether the Defendant will continue with its personal jurisdiction objection --- or if the Defendant will waive it.

If the Defendant chooses not to waive, the letter shall address the relevance, if any, of the following cases on the presumption of jurisdictional discovery: Caduceus, Inc. v. Univ. Physician Grp., 2024 WL 303845, at *2 (D.N.J. Jan. 26, 2024); Prestan Products LLC v. Innosonian Am., LLC, 2024 WL 278985, at *3 (D.N.J. Jan. 25, 2024); Rose v. Ferrari N. Am., Inc., 2023 WL 8653924, at *1 (D.N.J. Dec. 14, 2023).

IT IS on this 12th day of September, 2024, so **ORDERED**.



Michael E. Farbiarz, U.S.D.J.